

Reference Manual For Building Officials and Fire Protection Districts

**Prepared By:
The Missouri Board for Architects,
Professional Engineers,
Professional Land Surveyors and
Professional Landscape Architects**

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FOREWORD

This manual has been prepared and published by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects in an effort to aid Missouri Building Officials, Fire Protection Districts and Design Professionals to ensure compliance with the laws and regulations governing the professions of architecture, engineering, land surveying, and landscape architecture in Missouri.

While Missouri has limited exemptions permitting unlicensed persons to render architectural services for single-family dwellings, farm buildings, and other structures of defined scope (please see § 327.101, RSMo), it is clear public policy in this state that new construction, additions, and remodeling of existing buildings must be designed by licensed professionals.

This information is provided as part of the continuing effort of the Board to protect the life, health and safety of the people of Missouri through proper enforcement of the legal requirements for architecture, engineering, land surveying, and landscape architecture in Missouri.

This reference manual is provided as general information regarding the use of Chapter 327, RSMo, and the Rules of the Board. It is not a substitute for the provisions in the law and rules, and they should be referred to for further clarification.

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INTRODUCTION

Chapter 327, RSMo, governs the practice of architecture, engineering, land surveying, and landscape architecture. The law is further clarified with rules promulgated by the Board. This reference manual is intended to be a quick reference for the definition of the practices of architecture and professional engineering, an explanation of how and when a professional is to use his/her professional seal, and provide answers to other commonly asked questions.

The charge given Building Officials and Fire Protection Districts, is the same as that given the Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects; i.e., protecting the inhabitants of this state in the enjoyment of life, health, peace and safety, and to protect their property from damage or destruction through dangerous, dishonest, incompetent or unlawful architectural, engineering, land surveying or landscape architectural practice, and generally to conserve the public welfare.

Although the charge is the same, the approach must differ. Building Officials and Fire Protection Districts review construction documents, inspect construction work and monitor existing structures for code compliance. The Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects assures the public that only those who have met minimum standards may plan, design and administer the erection of nonexempt structures. We rely on the Building Officials, Fire Protection Districts and Design Professionals, to assure compliance with the laws governing the practices of architecture and engineering in Missouri. Building Officials, Fire Protection Districts and Design Professionals may, in turn, rely on the Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects as a source of information and support.

EXCERPTS FROM CHAPTER 327, RSMo

1. THE PRACTICE OF ARCHITECTURE, defined.

Section 327.091, RSMo, provides:

(1) Any person practices as an architect in Missouri who renders or offers to render or represents himself or herself as willing or able to render service or creative work which requires architectural education, training and experience, including services and work such as consultation, evaluation, planning, aesthetic and structural design, the preparation of drawings, specifications and related documents, and the coordination of services furnished by structural, civil, mechanical and electrical engineers and other consultants as they relate to architectural work in connection with the construction or erection of any private or public building, building structure, building project or integral part or parts of buildings or of any additions or alterations thereto; or who uses the title "architect" or the terms "architect" or "architecture" or "architectural" alone or together with any words other than "landscape" that indicate or imply that such person is or holds himself or herself out to be an architect.

(2) Architects shall be in responsible charge of all architectural design of buildings and structures that can affect the health, safety, and welfare of the public within their scope of practice."

2. UNAUTHORIZED PRACTICE PROHIBITED -- PERSONS EXCEPTED

Section 327.101, RSMo, provides:

No person shall practice architecture in Missouri as defined in section 327.091, unless and until there is issued to the person a license or a certificate of authority certifying that the person has been duly licensed as an architect or authorized to practice architecture, in Missouri, and unless such license has been renewed as hereinafter specified; provided, however, that nothing in this chapter shall apply to the following persons:

Sections 327.101. (1), (2), and (3), RSMo - (Omitted for Brevity).

(4) Any person who is a professional landscape architect, city planner or regional planner who performs work consisting only of consultations concerning and preparation of master plans for parks, land areas or communities, or the preparation of plans for and the supervision of the planting and grading or the construction of walks and paving for parks or land areas and such other minor structural features as fences, steps, walls, small decorative pools and other construction not involving structural design or stability and which is usually and customarily included within the area of work of a professional landscape architect or planner;

(5) Any person who renders architectural services in connection with the construction, remodeling or repairing of any privately owned building described

in paragraphs (a), (b), (c), (d), and (e) which follow, and who indicates on any drawings, specifications, estimates, reports or other documents furnished in connection with such services that the person is not a licensed architect:

- (a) A dwelling house; or
 - (b) A multiple family dwelling house, flat or apartment containing not more than two families; or
 - (c) A commercial or industrial building or structure which provides for the employment, assembly, housing, sleeping or eating of not more than nine persons; or
 - (d) Any one structure containing less than two thousand square feet, except as provided in (b) and (c) above, and which is not a part or a portion of a project which contains more than one structure; or
 - (e) A building or structure used exclusively for farm purposes;
- (6) Any person who renders architectural services in connection with the remodeling or repairing of any privately owned multiple family dwelling house, flat or apartment containing three or four families, provided that the alteration, renovation or remodeling does not affect architectural or engineering safety features of the building and who indicates on any drawings, specifications, estimates, reports or other documents furnished in connection with such services that the person is not a licensed architect;
- (7) Any person or corporation who is offering, but not performing or rendering, architectural services if the person or corporation is licensed to practice architecture in the state or country of residence or principal place of business.

NOTE: A municipality, or any governing authority, may utilize requirements more stringent than the state law. Sections 327.101(4), (5), (6), and (7), RSMo, do not assume that engineering is absent in the design of the exempted services.

3. PRACTICE AS PROFESSIONAL ENGINEER, defined-use of titles, restrictions

Section 327.181, RSMo, provides:

(1) Any person practices in Missouri as a professional engineer who renders or offers to render or holds himself or herself out as willing or able to render any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning and design of engineering works and systems, teaching of advanced engineering subjects or courses related thereto, design surveys and studies, the design coordination of services furnished by engineers and other consultants as they relate to engineering work, construction observation and the inspection of construction for the purpose of compliance with drawings and specifications, any of which embraces such service or work either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems or projects and including such architectural work as is incidental to the practice of engineering; or who uses the title "professional engineer" or "consulting

engineer” or the word “engineer” alone or preceded by any word indicating or implying that such person is or holds himself or herself out to be a professional engineer, or who shall use any word or words, letters, figures, degrees, titles or other description indicating or implying that such person is a professional engineer or is willing or able to practice engineering.

(2) Professional engineers shall be in responsible charge of all engineering design of buildings, structures, products, machines, processes, and systems that can affect the health, safety, and welfare of the public within their scope of practice.

(3) Notwithstanding any provision of subsection 1 of this section, any person using the word “engineer”, “engineers”, or “engineering” alone or preceded by any word, or in combination with any words, may do so without being subject to disciplinary action by the Board so long as such use is reflective of that person’s profession or vocation and is clearly not indicating or implying that such person is holding himself or herself out as being a professional engineer or is willing or able to practice engineering as defined in this section.

4. PERSONAL SEAL, HOW USED, EFFECT OF-

Section 327.411, RSMo, provides:

(1) Each architect and each professional engineer and each professional land surveyor and each professional landscape architect shall have a personal seal in a form prescribed by the board, and he or she shall affix the seal to all final technical submissions. Technical submissions shall include, but are not limited to, drawings, specifications, plats, surveys, exhibits, reports, and certifications of construction prepared by the licensee, or under such licensee’s immediate personal supervision. Such licensee shall either prepare or personally supervise the preparation of all documents sealed by the licensee, and such licensee shall be held personally responsible for the contents of all such documents sealed by such licensee, whether prepared or drafted by another licensee or not.

(2) The personal seal of an architect or professional engineer or professional land surveyor or professional landscape architect shall be the legal equivalent of the licensee’s signature whenever and wherever used, and the owner of the seal shall be responsible for the architectural, engineering, land surveying, or landscape architectural documents, as the case may be, when the licensee places his or her personal seal on such technical submissions to be used in connection with, any architectural or engineering project, survey, or landscape architectural project. Licensees shall undertake to perform architectural, professional engineering, professional land surveying and professional landscape architectural services only when they are qualified by education, training and experience in the specific technical areas involved.

(3) Notwithstanding any provision of this section, any architect, professional engineer, professional land surveyor, or professional landscape architect may, but is not required to, attach a statement over his or her signature, authenticated by his or her personal seal, specifying the particular technical submissions, or portions thereof, intended to be authenticated by the seal, and disclaiming any responsibility for all other technical submissions relating to or intended to be

used for any part or parts of the architectural or engineering project or survey, or landscape architectural project.

(4) Nothing in this section, or any rule or regulation of the board shall require any professional to seal preliminary or incomplete documents.

(See Board Rule 20 CSR 2030-3.060, for guidelines governing the use of seal.)

5. POLITICAL SUBDIVISIONS NOT TO USE UNLICENSED ARCHITECTS, PROFESSIONAL ENGINEERS OR PROFESSIONAL LAND SURVEYORS

Section 327.421, RSMo, provides:

This state and its political subdivisions including counties, cities and towns, or legally constituted boards, agencies, districts, commissions and authorities of this state shall not engage in the construction of public works involving the practice of architecture, engineering or land surveying, unless the architectural and engineering drawings, specifications and estimates and the plats and surveys have been prepared by an architect, professional engineer or professional land surveyor whose license is current and in good standing, as the case may require.

(Please note that Section 327.635, RSMo, provides that: Nothing contained in sections 327.600 to 327.635, RSMo, shall be considered as a directive to any state department of administration or any political subdivision thereof to employ a landscape architect.)

6. CONTRACT WITH UNLICENSED ARCHITECT, PROFESSIONAL ENGINEER, PROFESSIONAL LAND SURVEYOR OR PROFESSIONAL LANDSCAPE ARCHITECT UNENFORCEABLE BY THEM

Section 327.461, RSMo, provides:

Every contract for architectural or engineering or land surveying or landscape architectural services entered into by any person who is not an architect or professional engineer or professional land surveyor or professional landscape architect, as the case may be, and who is not exempt from the provisions of this chapter, shall be unenforceable by the unlicensed or unauthorized person, whether in contract, quantum meruit or other legal theory, regardless of whether a benefit has been conferred.

7. CIVIL PENALTIES MAY BE IMPOSED, WHEN-AMOUNT, LIMIT, DETERMINATION OF-SETTLEMENT REQUIREMENTS

Section 327.077, RSMo, provides:

1. In disciplinary actions against licensed or unlicensed persons, the board may issue an order imposing a civil penalty. Such penalty shall not be imposed until the findings of fact and conclusions of law by the administrative hearing commission have been delivered to the board in accordance with section 621.110.

Further, no civil penalty shall commence until a formal meeting and vote by the board has been taken to impose such a penalty.

2. A civil penalty imposed under this section shall not exceed five thousand dollars for each offense. Each day of a continued violation constitutes a separate offense, with a maximum penalty of twenty-five thousand dollars. In determining the amount of penalty to be imposed, the board may consider any of the following:

- (1) Whether the amount imposed will be a substantial deterrent to the violation;
- (2) The circumstances leading to the violation;
- (3) The severity of the violation and the risk of harm to the public;
- (4) The economic benefits gained by the violator as a result of noncompliance;
- (5) The interest of the public.

3. Any final order imposing a civil penalty is subject to judicial review upon the filing of a petition under section 536.100 by any person subject to the penalty.

4. Payment of a civil penalty shall be made within sixty days of filing the order, or if the order is stayed pending an appeal within ten days after the court enters a final judgment in favor of the board. If the penalty is not timely paid, the board shall notify the attorney general. The attorney general may commence an action to recover the amount of the penalty, including reasonable attorney fees and costs and a surcharge of fifteen percent of the penalty plus ten percent per annum on any amounts owed. In such action, the validity and appropriateness of the final order imposing the civil penalty shall not be subject to review.

5. An action to enforce an order under this section may be joined with an action for an injunction.

6. Any offer of settlement to resolve a civil penalty under this section shall be in writing, state that an action for imposition of a civil penalty may be initiated by the attorney general representing the board under this section, and identify any dollar amount as an offer of settlement, which shall be negotiated in good faith through conference, conciliation, and persuasion.

7. Failure to pay a civil penalty by any person licensed under this chapter shall be grounds for refusing to renew or denying reinstatement of a license or certificate of authority.

8. Penalties collected under this section shall be handled in accordance with Section 7 of Article IX of the Missouri Constitution. Such penalties shall not be considered a charitable contribution for tax purposes.

EXCERPTS FROM BOARD RULES

20 CSR 2030-2.040 Evaluation Criteria for Building Design

PURPOSE: This rule provides the recipient and producer of professional architectural, engineering, and/or landscape architectural services assurances that all services are evaluated in accordance with the 2018 edition of the International Building Code.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) For building design, the board shall use, in the absence of any local building code, the 2018 edition of the International Building Code, as the evaluation criteria in determining the appropriate conduct for any professional licensed or regulated by this chapter and being evaluated under section 327.441.2(5), RSMo. The International Code Council, 2018 Edition is incorporated herein by reference and may be obtained by contacting the International Code Council at 500 New Jersey Ave NW, 6th Floor, Washington, DC 20001, by phone at (888) ICC-SAFE (422-7233), by fax at (202) 783-2348, or by their direct website at <http://www.iccsafe.org>. This rule does not incorporate any subsequent amendments or additions to the manual.

20 CSR 2030-2.050 Title Block

PURPOSE: This rule clarifies the identity of the client and entity preparing and sealing all architectural, engineering, land surveying, and/or landscape architectural documents.

(1) An architectural, engineering, land surveying, or landscape architectural entity shall incorporate a title block on all drawings, exhibits, plans, plats, maps, and surveys that are required to be signed and sealed by Chapter 327, RSMo, and these regulations.

(2) The title block must, at a minimum, contain the following information:

- (A) The name of the licensee either as a sole proprietor, partnership, corporation, limited liability company, or other appropriate entity;
- (B) The licensee's address and phone number;
- (C) Name or identification of project;
- (D) Address/location of project (city/county and state);
- (E) Date prepared;
- (F) Space for the licensee's signature, date, and seal;

- (G) The printed name, discipline, and license number of the person sealing the document; and
- (H) The printed name, discipline, and certificate of authority number of the corporation as defined in section 327.011, RSMo.

20 CSR 2030-3.060 Licensee's Seal

PURPOSE: This rule describes the format for personal seal of an architect, a professional engineer, a professional land surveyor, and a landscape architect.

(1) Each person licensed as an architect, professional engineer, professional land surveyor or landscape architect (not including interns or individuals "in-training") shall, at his/her own expense, secure a seal one and three-quarters inches (1 3/4") in diameter of the following design: the seal shall consist of two concentric circles between which shall appear in roman capital letters, the words, "State of Missouri" on the upper part of the seal and either "Architect," or "Professional Engineer," or "Professional Land Surveyor" or "Professional Landscape Architect," as the case may be, on the lower part, and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the roman capital letter(s) A for Architect, PE for Professional Engineer, PLS for Professional Land Surveyor or PLA for Professional Landscape Architect.

(A) The seal of an architect licensed prior to January 1, 2002 may display "Registered Architect" on the lower part and within the inner circle the name of the licensee, together with his/her license number preceded by the roman capital letter A.

(B) The seal of a professional engineer licensed prior to January 1, 2002 may display "Registered Professional Engineer" on the lower part and within the inner circle the name of the licensee, together with his/her license number preceded by the roman capital letter E.

(C) The seal of a professional land surveyor licensed prior to January 1, 2002 may display "Registered Land Surveyor" on the lower part and within the inner circle the name of the licensee, together with his/her license number preceded by the roman capital letters LS.

(2) The seal may be in the form of an embossing seal, a rubber stamp, or a computer-generated image, identical in size, design and content with the provisions of section (1) above.

(3) In addition to the personal seal, the licensee shall also affix his/her signature and place the date when the document was originally sealed, at the minimum, to the original of each sheet in a set of all final technical submissions that include, but are not limited to, drawings, specifications, exhibits, plats, reports, surveys, and certifications of construction prepared by the licensee or under his/her immediate personal supervision. The term "signature," as used herein means the following:

(A) For a hand drawing (e.g., paper, vellum, mylar), printed document or computer generated hard copy media, a handwritten "wet signature" identification containing the name of the person who applied it.

(B) For electronic or digital documents transmitted to others in their native file format (e.g., AutoCAD, Revit, Word, or Excel), a digital signature with an

electronic authentication process attached to or logically associated with the document. The digital signature must be unique to, and under the sole control of the person using it; it must also be capable of verification and be linked to a document in such manner that the digital signature is invalidated if any data on the document is altered.

(C) For electronic or digital documents transmitted to others in a "pdf" or similar format that has modified the native file so that it is not easily altered, a scanned signature is acceptable if it is an accurate depiction of the licensee's actual signature.

(4) When revisions are made the licensee who made the revisions, or under whose immediate personal supervision the revisions were made, shall sign, seal, and date each sheet and provide an explanation of the revisions. Revisions to technical submissions which are not made or approved by the licensee are prohibited.

(5) In lieu of signing, sealing, and dating each page, the licensee(s) may sign, seal, and date the title page, an index page, or a seals page on bound multiple page documents not considered to be drawings, providing that the signed page clearly identifies all of the other pages comprising the bound volume. Provided further that any of the other pages which were prepared by, or under the immediate personal supervision of another licensee be signed, sealed, and dated as provided for, by the other licensee. Any additions, deletions, or other revisions are prohibited unless signed, sealed, and dated by the licensee who made the revisions or under whose immediate personal supervision the revisions were made.

(6) An original document which is sealed, signed, and dated (by hand or electronically) by the licensee may be reproduced by photocopy, traditional blue printing, faxing, scanning in "pdf," publishing or printing to "pdf," or similar format.

(7) Technical submissions shall be signed, sealed, and dated unless clearly designated preliminary or incomplete, not to be used for construction, or is a record drawing of as-built construction information provided by others. If the document is preliminary or incomplete, not to be used for construction, or is a record drawing of as-built construction information provided by others, the phrase, "The information on this document is preliminary or incomplete, not for construction, recording purposes, or implementation" or similar disclaimer and notice to others shall be placed in an obvious location so that it is readily found, easily read, and not obscured by other markings.

(8) In the instance of one (1) licensee performing design for other licensees to incorporate into his/her documents, each licensee shall seal, date, and sign those documents, using the appropriate disclaimer for clarification of each licensee's responsibility.

(9) The signing and sealing of technical submissions not prepared by the licensee or under his/her immediate personal supervision is prohibited.

(10) This rule supersedes any conflicting rules.

MOST COMMONLY ASKED QUESTIONS

1. Who may refer to himself or herself as an architect or professional engineer?

Only an individual who has been duly licensed by the Board and holds a current license may refer to himself or herself as an Architect. A person participating in the Intern Development Program through NCARB who has graduated with a NAAB accredited degree or equivalent degree from Canada may use the term "Architectural Intern."

Unless exempt pursuant to Section 327.181.3., RSMo, only an individual who has been duly licensed by the Board and holds a current license may refer to himself or herself as a Professional Engineer. A person enrolled with the Board as an Engineer Intern may use the title "Engineer Intern," "Engineer-in-Training, or "Designer." An exempt person may use the word "Engineer" so long as such use is reflective of that person's profession or vocation and is clearly not indicating or implying that such person is holding himself or herself out as being a professional engineer or is willing or able to practice engineering. Such examples would be: Broadcast Engineer, Domestic Engineer, Train Engineer, Hair Engineer, Sanitation Engineer, Etc.

§§ 327.091, 327.101, 327.181, 327.191, RSMo, 20 CSR 2030-2.010.

2. I have a set of plans sealed and signed by an architect or professional engineer licensed in a state other than Missouri. Does the plan submittal meet the requirements for a design professional in Missouri?

No. Only design professionals currently licensed with the Missouri Board have any legal standing in Missouri. Professionals licensed in other states must obtain licensure in Missouri prior to performing or rendering any design work within Missouri.

§§ 327.411, 327.421, RSMo, 20 CSR 2030-3.060.

3. Can a Missouri licensed architect or professional engineer seal plans prepared and sealed by an out-of-state architect or professional engineer for submittal in Missouri?

No. A Missouri licensed architect or professional engineer may only seal and sign drawings prepared by him/her or prepared under his/her immediate personal supervision. Should the original professional become unable to perform, then the professional who is chosen to complete the plans must assume responsibility for the entire finished product.

§§ 327.411, RSMo, 20 CSR 2030-3.060, 20 CSR 2030-13.010, 20 CSR 2030-2.010.

4. Can an owner, builder, or contractor make changes to an architect's or professional engineer's plans which have previously been approved?

The general answer is no. When plans are prepared by a Missouri licensed professional, no changes may be made except by that professional or under his/her immediate personal supervision. However, changes are sometimes made by other persons. Such other persons must be licensed design professionals and must seal and sign the changes. In the instance of one licensee performing design for other licensees to incorporate into his/her documents, both the original design professional and the licensee making the changes must disclaim responsibility for the work not prepared by them or under their immediate personal supervision.

§§ 327.091, 327.101, 327.181, 327.191, 327.421, RSMo, 20 CSR 2030-13.010, 20 CSR 2030-2.010.

5. If a designer or owner prepares plans for a nonexempt building and applies for a building permit, should I, the building official, suggest they contact an architect or professional engineer to have their plans and specifications reviewed and sealed?

No. Such action on the part of an architect or professional engineer would be contrary to law, and would put the professional's license in jeopardy. The permit applicant should be informed that the professional services which include construction documents must be prepared by; or under the personal supervision of, a licensed design professional(s). Only the licensed professional who prepared the documents, or under whose immediate personal supervision they were prepared, may seal and sign the documents. The permit application should not be processed under any other circumstances.

§§ 327.091, 327.101, 327.181, 327.191, 327.421, RSMo, 20 CSR 2030-13.010.

6. Which sheets of the plans or drawings must be sealed and signed?

At the minimum, the professionals must seal, sign and date the original of each sheet in a set of drawings, and the cover page of bound specifications, estimates, plats, reports, surveys, proposals and other documents prepared by the licensee or under that licensee's direct supervision.

§§ 327.091, 327.101, 327.181, 327.191, 327.411, RSMo, 20 CSR 2030-13.010.

7. How do I measure the square footage of the structure to determine whether it is exempt or nonexempt?

Square footage is the area in square feet. The easiest way to calculate it is by measuring the length and width of your area in feet then multiplying those two numbers together to get the area in feet squared. If your measurements are in different units than feet, first convert those values to feet, then multiply them together to get the square footage of the area.

§ 327.101 RSMo.

8. If an addition is being proposed to an exempt structure bringing the total square feet to greater than the allowable square feet, must the plans for the addition be prepared by a licensed architect?

Yes. The total square feet of the completed structure (the addition plus the existing building) must be considered in determining whether the building is exempt or nonexempt. Otherwise, a building might be built in phases in a deliberate attempt to circumvent the law. Note, this applies only to architects. §§ 327.091, 327.101(5)(d), 327.421, RSMo.

9. May an unlicensed individual prepare plans and specifications for interior space planning and/or remodeling of nonexempt buildings?

The general answer is no. Quite often “interior space planning” involves mechanical/electrical systems, exiting systems, fire retardant construction, earthquake-resistant design of nonstructural elements, and other areas requiring expertise beyond the capabilities of the average person. Code officials must ensure that all life/safety factors are properly addressed. Those systems requiring the application of technical expertise must be prepared and sealed by a licensed architect or professional engineer, as appropriate. §§ 327.421, 327.091, 327.101, 327.181, 327.191 RSMo.

10. Who may issue change orders, addenda and other post-design alterations to construction documents for nonexempt structures?

Generally, changes, additions or deletions to the construction documents for nonexempt structures must bear the seal and signature of the licensed architect or professional engineer who prepared the original plans and specifications or under whose immediate personal supervision they were prepared. However, changes are sometimes made by other persons. Such other persons must be licensed design professionals and must seal and sign the changes. In the instance of one licensee performing design for other licensees to incorporate into his/her documents, both the original design professional and the licensee making the changes must disclaim responsibility for the work not prepared by them or under their immediate personal supervision. §§ 327.091, 327.101, 327.181, 327.191, 327.421, RSMo, 20 CSR 2030-13.010.

11. If there are additions, deletions or changes during construction; who is responsible?

Additions, deletions or changes to the work are the responsibility of the licensee preparing, sealing and signing the additions, deletions or changes. §§ 327.091, 327.101, 327.181, 327.191, 327.421, RSMo, 20 CSR 2030-13.010.

12. Architect or Engineer's Seal -- which or both?

This must be determined on a case by case basis. Each professional must operate within the bounds of their expertise due to education, examination and experience.

Normally, the architectural portions of the documents must be sealed by a licensed architect, the engineering portions by a licensed professional engineer and the surveys by a licensed professional land surveyor. Disclaimers should be used to indicate those portions of the work not prepared by the licensees affixing their seal and signature.

§§ 327.091, 327.101, 327.181, 327.191, 327.421, RSMo, 20 CSR 2030-13.010.

13. If a licensed professional has prepared sealed documents for a nonexempt project, may the owner or contractor reuse or resubmit those same plans for another project at another location?

No. A set of documents is prepared by a design professional for a specific site. Documents prepared by architects and engineers are instruments of service. Copyright laws may prohibit reproduction and contracts may prohibit or restrict reuse. Even if such prohibitions or restrictions do not apply, and even if the original design professional consents to reuse, the new design professional must produce a completely new set of documents based upon the original set and incorporating the necessary site adaptations and code revisions or variations. §§ 327.091, 327.101, 327.111, 327.181, 327.191, 327.201, RSMo, 20 CSR 2030-2.010.

NOTES

